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COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN
Eleventh session
New York, 20-31 January 1992
Agenda item 7

ADOPTION OF THE REPORT

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 18 OF THE CONVENTION

A. Introduction

1. At its eleventh session, the Committee considered the reports of nine States parties: one initial report, six second periodic reports, one combined initial and second periodic, and one initial, second and third periodic report submitted by States parties under article 18 of the Convention. The status of submission of reports by States parties is indicated in annex ... to the present report.

2. The following paragraphs are arranged on a country-by-country basis following the order observed by the Committee in its consideration of the reports. They contain a summary of the introductory presentation by the States parties representatives, of observations made and questions asked by the members of the Committee on the reports, as well as the substantive elements of the replies given by the representatives of the States parties present at the meetings. More detailed information is contained in the reports submitted by States parties and in the summary records.

B. Consideration of reports

1. Initial reports

Barbados

3. The Committee considered the initial report of Barbados (CEDAW/C/5/Add.64) at its 190th and ... meetings, on 20 and 23 January (see CEDAW/C/SR.190 and ...).

4. In introducing the report, the representative of Barbados stated that the commitment of the Government to the elimination of discrimination against women had been manifested by the unanimous adoption of a parliamentary resolution regarding the improvement of the status of women, the provision of a Charter for Women and the National Development Plan, the establishment of the National Commission on the Status of Women and the Bureau of Women's Affairs in 1976, the acceptance by Parliament of the Commission's report, the ratification of the Convention on the Elimination of All Forms of Discrimination against Women and the ILO Convention concerning equal remuneration for female workers for work of equal value. Difficulties with regard to the preparation of the country report were related to obtaining statistical information disaggregated by sex and to the very small number of staff in the Women's Bureau.

5. The representative said that significant progress in regard to eliminating areas of recognized and recorded discrimination against women had been achieved through the systematic implementation of the national programme of action. In its effort to report on the status of women in the country, the National Commission on the Status of Women had presented 212 recommendations aimed at eliminating all areas of discrimination against women, of which 190 had been implemented within the period of the report. Following parliamentary acceptance of the Commission's report, the Bureau of Women's Affairs had disseminated the recommendations to the respective ministries and agencies and had held a national conference with governmental, non-governmental organizations and private sector agencies to facilitate their implementation.

6. The representative pointed out that the non-militant approach to the elimination of discrimination had been the hallmark of the country's progress in that area. In implementing the National Plan of Action, it was necessary to recognize the social and cultural reality of Barbadian women. Many women welcomed the changes and breaking down of the social barriers to their development and contribution, others feared the consequences on family and working relationships. Women themselves and also men were already more comfortable with the social strides made by Barbadian women. The process of integration was facilitated by the active involvement of 44 women's organizations. The Bureau of Women's Affairs was also holding leadership training seminars on political participation and consciousness raising. While outlining briefly the main points of the report, the representative mentioned additional action on violence against women since the reporting period and concluded by enumerating the areas requiring ongoing action and support, such as strengthening of the Bureau, adjustment of some areas of legislation, improvement of the participation of women in the political and civil decision-making process, more support of women in the self-employment/ entrepreneurial areas, strengthening of the data resource bases and amendments to the Constitution.

7. In general comments, members of the Committee expressed appreciation for the frank, concise, informative and well-structured report that adhered closely to the general guidelines as well as for the excellent presentation. It documented well the strong commitment of the Government and of

non-governmental organizations to the advancement of women. The annexes to the report showed the Government's initiatives to inform women about their rights. Members were impressed by the implementation of the big number of recommendations by the National Commission on the Status of Women although there was still a lot which had to be done for the advancement of Barbadian women. For example, many experts observed that despite the high percentage of women voters women were hardly represented in the Parliament or other higher political office and, therefore, it would be difficult for women to promote themselves if they could not participate in the planning and development of the country. Some experts asked for the reasons for the high percentage of women heads of households and about the professions they were carrying out. They inquired about the relationship between tourism and prostitution and asked whether the big role that tourism played in the country was only a way to give more women minor jobs or whether it brought more women also into management positions. The wish was expressed that future reports should contain more statistical data disaggregated by sex. Concern was raised as to why the reporting period was limited to the years 1982 to 1987 and that it should have contained more information on the current situation, especially on the topics on which the Government was currently focusing its attention.

8. With regard to articles 2 and 3, members requested more information on the recommendations that had been adopted by the National Commission on the Status of Women, on the exceptions that were anticipated by the Constitution and on the budget of the Commission. They also inquired about the budget allocations for the Bureau of Women's Affairs and the relationship between the Bureau and the ombudsman. They wanted to know whether cases dealt with by the ombudsman had been publicized. They asked about the results of the inquiry that was conducted by the Commission into the one-parent family with special reference to women's roles therein. Other questions asked were whether the Convention could be referred to directly by the Courts, whether the Commission could propose draft laws, whether each woman could have access to the Legal Aid Scheme and whether it was free of charge.

9. On article 4, members asked whether the Bureau of Women's Affairs had at all discussed any possible affirmative actions and temporary special measures such as a quota system.

10. Under article 5, members requested further information on programmes for suppressing violence against women; on the types of violence that occurred and whether it also included domestic violence; on the services that existed to help women victims of violence; and on related statistics. They wanted to know whether domestic violence constituted a criminal offence, and if so, what the sanctions were. They asked whether the programmes that had been introduced to modify social and cultural patterns of conduct had shown any result and whether analyses had been carried out on the reasons for the preponderance of women in certain professions. Another question asked was whether the Government was giving any assistance to women's organizations.

11. On article 6, members inquired about the extent of the problem of prostitution, they asked whether there was a discernible link between unemployment and prostitution and felt that women of between 15 and 24 years of age might not be drawn into prostitution if a functional programme existed for them. They asked whether prostitution constituted an offence or whether the conviction of the culprit was left to the arbitrary decision of a magistrate, whether only the prostitute was being prosecuted or also the client and the pimp. They inquired whether prostitutes were protected by any special legal measures or whether rape and violence in connection with prostitution were covered by the general legal provisions. Members wanted to know what type of preventive measures related to prostitution had been taken, what their results were and whether rehabilitation programmes existed. They asked whether the promotion of tourism had led to an increase in prostitution, and further information was requested about the connection between prostitution and HIV/AIDS.

12. Regarding article 7, concern was expressed at the low number of women in politics despite the Government's commitment to the advancement of women, despite women's high percentage of literacy and education and despite the high percentage of women voters. Other questions asked were whether women did not want to get into leadership positions, why there were so many women's organizations, whether women's organizations were trying to make women aware of their political responsibility, whether political parties had sought to raise the number of women and whether women themselves would not join efforts to present their candidacies and promote other women candidates. Members inquired about the reasons for the fluctuating voting pattern of women between 1966 and 1986 and asked whether the members of the Senate were elected or appointed, and if appointed, why the Government had not appointed more women.

13. On article 8, experts commented on the low representation of women in the diplomatic service and asked whether any programmes were being carried out to encourage women to enter it and to reach the upper echelons.

14. Regarding article 9, members welcomed the Government's intention to revise the discriminatory nationality law.

15. With regard to article 10, experts were impressed by the low rate of illiteracy. They requested statistics on the percentage of enrolment in secondary and tertiary education broken down by sex. They asked which percentage of public schools followed a coeducational system, why the percentage of girls who studied commerce was so high and whether there were plans to include sex education and family planning into the school curricula.

16. On article 11, questions were asked about the economic situation of the many female-headed households and the availability of government welfare programmes. Members inquired whether there was a legal provision regarding equal pay for work of equal value and wanted more information about the Legal Aid Scheme. It was not clear whether it corresponded to the institution of ombudsman or to availability of legal assistance. Appreciation was expressed at the inclusion of agricultural work into the gross domestic product.

Members asked whether there was a set annual rate of contribution to the pension scheme and what the share paid by the employers compared to that of the employees was. In case of dismissal on the grounds of pregnancy, the question was asked whether women who were given redress could take up their former occupation or whether they received only financial compensation. Also asked was whether laws prohibited employment discrimination against pregnant job applicants. Members inquired whether the maternity leave of 12 weeks was granted at full pay and one expert welcomed the frank assessment in the report that it was difficult to provide for nursing facilities for breast-feeding mothers at the workplace. Several members commented on the over-protective character of measures regarding safety and health of women at the workplace and asked whether night work for women was forbidden. They wanted also to know whether there were plans to offer a tax discount to the single women heads of households.

17. On article 12, clarification was sought about the legality of abortion and as to whether the problem of clandestine abortion had been eliminated. The question was asked whether information on family planning and contraceptives was available to teenagers and adolescents, whether they were free of charge and whether women had access to family planning advice without the husband's consent. Questions were asked about the female mortality rate and the reasons for mortality.

18. On article 13, members expressed concern at the provision according to which normally only the husband had access to children's allowances.

19. Concerning article 14, clarification was sought as to whether rural or urban women were involved in agriculture and whether there was any distinction regarding school education for rural women.

20. Under article 16, questions were asked regarding whether specific legislation empowered the courts with respect to property rights in common law relationships, why so many couples lived in common law relationships, whether a man could simultaneously enter into a legal marital union and a common law union, thus having two wives, through which procedure a child born out of wedlock could be legitimized, which family name children born out of wedlock were given and what the situation regarding family names of the spouses and the children within a legal marital union was. Members inquired whether the dowry system existed; they questioned whether it was realistic that the law foresaw only one ground for divorce, whether there were female judges and whether judges were trying to reconcile the parties in a divorce. Other questions concerned the definition of the breaking down of a marriage, whether it had to be on moral, economic or emotional grounds, and whether the judge could decide on the continuation of maintenance of children beyond the age of 18 years.

21. In replying to questions raised, the representative of the Government mentioned that some of the misunderstanding of the situation in the country stemmed from cultural, historical and political differences. It was also stated, in response to specific questions, that Barbados had a bicameral

system. The members of the House of Assembly were elected, while the members of the Senate were appointed. The representative stated also that many women, as much as men, were avoiding participation in active politics. Regarding subsequent questions under article 16 concerning the high percentage of women-headed households, the representative said that that percentage was related partly to common law relationships and partly to divorce cases. Theoretically it was possible for a man to have a wife married to him and a common law spouse; however, in practice bigamy was rare. Previously, children born out of wedlock had to assume their mother's name; currently they could also take their father's name. Professional women sometimes kept their maiden name.

22. The Committee expressed appreciation for the efforts of its member from Barbados, Ms. Norma M. Forde, regarding the country report and the situation of women in that country.